

REMARKS

In the present Office Action, the Examiner rejected claims 1-59 in view of various references under 35 U.S.C. §§ 102 and 103. Unfortunately, as mentioned above, the Examiner was unable to consider the previously submitted Rule 131 and Rule 132 declarations and associated exhibits, because these documents were lost by the USPTO.

In an Examiner Interview on March 12, 2004, the Examiner indicated that these declarations and associated exhibits were not received and, thus, not considered in the present Office Action. The Examiner advised Applicants to re-submit these declarations and associated exhibits and to respond to the present Office Action to expedite prosecution of the above-referenced application. Given that these declarations and associated exhibits were lost, in the USPTO, the Examiner also indicated that the next office communication will not be a Final Office Action. Accordingly, as advised by the Examiner, the Applicants responded to the present Office Action and re-submit the previously filed declarations and associated exhibits along with a copy of the receipt acknowledgment postcard, bearing the USPTO receipt stamp. Specifically, Applicants re-submit the enclosed Rule 131 declarations of inventors Gary Landrum, Chris Felcman, and David Eichberger and the associated Exhibits A and B pursuant to 37 C.F.R. § 1.131 to swear behind Sikat et al. (US 2001/0031453A1). Applicants also re-submit the enclosed Rule 132 declarations of Gary Landrum, Chris Felcman, and David Eichberger and associated Exhibits 1, 2, and 3 pursuant to 37 C.F.R. § 1.132 as evidence of non-obviousness.

In view of the foregoing evidence and the following remarks, Applicants respectfully submit that the pending claims are patentably distinct from the prior art and in condition for allowance.

Objections to the Specification

In the Office Action, the Examiner indicated that the present application lacks the necessary reference to the prior application. Accordingly, the Applicants amended the specification above as suggested by the Examiner.

Interview
Record OK
10/26/04
JP